



The City of Worcester

Conservation Commission

Meeting Minutes

August 24th, 2026

City Hall – Levi Lincoln Chamber,

with remote participation options available via Zoom online at
<https://worcesterma.zoomgov.com/j/1604682366> and
call-in number 1-669-254-5252 (Meeting ID: 160 468 2366).

Attendance:

**Commissioners
Present:**

Devin Canton, Vice Chair
Lindsay Nystrom, Commissioner
Stuart Kirshner, Commissioner

**Commissioners
Absent:**

Diane Fratoni, Chair

Staff Present:

Eric Flint, Division of Planning & Regulatory Services (DPRS)
Mattie VandenBoom, Division of Planning & Regulatory Services
(DPRS)

Call to Order

Commissioner Canton, acting as Chair in the absence of Commissioner Fratoni, called the meeting to order at approximately 5:30 PM.

Requests for Continuances, Postponements and Withdrawals

**Item 1 – Providence and Worcester Railroad ROW – Request for
Determination of Applicability (CC-2026-033)**

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026

**Item 3 – 35 State Road (MBL 32-019-00316) – Notice of Intent (CC-2026-045
& DEP#349- 14xx)**

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026

**Item 7 – 99 Sears Island Drive – Notice of Intent (CC-2026-052 & DEP#349-
14xx)**

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026



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Item 9 – 3 Mann Street (MBL 14-033-00002) – Notice of Intent (CC-2026-058 & DEP#349-14xx)

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026

Item 10 – 300 & 301 Barber Avenue (MBL 22-015-00001 & 22-015-00002) – Notice of Intent (CC-2026-059 & DEP#349-14xx)

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026

Item 12 – 278 Grove Street, 4 Brookfield Street, 4 & 4A Powers Court – Notice of Intent (CC-2026-061 & DEP#349-14xx)

Request to postpone the public hearing to 09/14/2026 & extend the constructive grant deadline to 10/06/2026

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to postpone the public hearings as discussed.

New Business – Request for Determination of Applicability

2) 4 Spring Valley Road (MBL 55-017-00201) – CC-2026-057

Neil Hassett, the applicant, explained that the project involved reconstructing an existing deck that had collapsed over the winter. The new deck would retain the exact footprint of the previous structure, with upgrades including pressure-treated framing and deck boards, updated railings, and newly dug code-compliant footings.

Ms. VandenBoom reported that the project initially appeared in the building permit system, where staff flagged it because of the wetland buffer. She reported no concerns with the project.

Commissioner Canton asked about the old footings. Mr. Hassett explained the old, outdated supports will be removed.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue a negative determination of applicability as discussed.

List of Exhibits:

Exhibit A: Request for Determination of Applicability; dated 07/22/2026; prepared by Neil Hassett

Old Business – Notice of Intent

4) 149 West Boylston Drive (MBL 13-035-0001A) - CC-2026-056 & DEP# 349-1457

Gregory LaCroix and Dave Presch, Pare Corporation, on behalf of the applicant, City of Worcester Department of Sustainability and Resilience, presented updates on the City's vegetation management project along the crest of Indian Lake Dam. They explained that since the previous hearing, they had received and responded to comments from both staff and MassDEP. The most significant change involved adjusting the Bordering Land Subject to Flooding (BLSF) elevation from 542 to 542.4 feet, increasing the mapped flood coverage



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area. The team also addressed Commission concerns about how vegetation behind a chain-link fence would be maintained, explaining that handheld tools such as weed whackers would be used due to limited equipment access. Questions about material stockpiling triggered the addition of a designated stockpile area located as far from resource areas as possible.

Mr. Flint reported only minor comments after completing a full review and expressed no concern about the updated plans.

No comments from the public or staff.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to close the public hearing.

Mr. Flint noted the work is approved as a limited project pursuant to 310 CMR 10.53(3)(i).

In addition to the standard conditions, Mr. Flint recommended special conditions for wetland flagging, maintenance of flood storage capacity, native seed mix application to disturbed areas, wood removal, dust controls, dewatering, equipment placement, and spill prevention.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue the order conditions as discussed.

List of Exhibits:

Exhibit A: Notice of Intent; dated 07/20/2026; prepared by George LaCroix, Pare Corporation

Exhibit B: Site Plan; dated 07/17/2026; prepared by Allen R. Orsi, Pare Corporation

Exhibit C: Department of Environmental Protection Comments; dated 08/10/2026; prepared by Rebecca Gendreau

Exhibit D: Division of Planning & Regulatory Comments; dated 08/17/2026; prepared by Eric Flint & Mattie VandenBoom

Exhibit E: Response to Comments; dated 08/24/2026; prepared by George LaCroix & David Pretsch, Pare Corporation

Old Business – Request Amended Order of Conditions

- 5) o Whippoorwill Drive & o Danielle's Way (aka Malden Woods Subdivision) (MBL 32-011-0001A & B through -0007A & B; -00008 through -00013; -0014A & B; & -0015A & B); the Whippoorwill Drive Right-of-Way; and the westerly portion of the Castine Street Right-of-Way**

Nikita Shugrue and Alex Wood, Thompson Liston Associates representing Whippoor LLC, the applicant, presented revised plans. They explained that the Commission had previously objected to patios and a driveway encroaching into the 30-foot buffer. In response, the applicant reconfigured plans so all patios, now impermeable, and the driveway for Lot 10A are fully outside the buffer. They also introduced the possibility that the developer might install decks instead of patios for certain lots during construction. To streamline future approvals, they requested an amendment allowing decks if they also



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remained outside the 30-foot buffer and maintained equal or lesser impervious area.

Mr. Flint supported incorporating this flexibility directly into the Order of Conditions and advised including limitations based on zoning setbacks, which prohibit decks in some side-yard areas.

Commissioner Kirshner asked what materials would be used for the deck. Mr. Wood confirmed the decks would be made from wood.

No comments from the public.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to close the public hearing.

Mr. Flint noted the work is approved as a limited project pursuant to 310 CMR 10.53(3)(i).

Mr. Flint recommended modifications to the existing Order of Conditions including allowing the applicant to construct decks or patios and adjusting condition 34 related to sequencing.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue the amended order conditions as discussed.

List of Exhibits:

Exhibit A: Request for Amended Order of Conditions; dated 07/14/2026; prepared by Patrick Healey, Thompson Liston Associates

Exhibit B: Site Plan; dated 07/10/2026; revised 08/07/2026; prepared by Patrick Healey, Thompson Liston Associates

New Business – Notice of Intent

6) 9 Dalton Street (MBL 34-019-00002) – CC-2026-048

Kevin Quinn, Quinn Engineering on behalf of the applicant, Amanda Russo-Folco, described the construction of a five-unit multifamily building. He explained how stormwater would be collected in catch basins, treated in a stormwater treatment unit, and discharged to a chamber gallery designed to retain runoff until the system reaches a specified capacity.

Mr. Flint explained staff's biggest concern relates to groundwater proximity to the underground chambers of the infiltration unit. He asked if there is a risk for groundwater to seep into the infiltration unit and enter the city's drainage system. Mr. Quinn that the seasonal high groundwater remained below the chamber bottom, negating risk of groundwater infiltration.

Mr. Quinn explained that a liner could be installed in infiltration unit but was not necessary and might reduce beneficial groundwater recharge.

After a brief discussion, the Commission chose not to require a liner for the infiltration unit.



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No comments from the public.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to close the public hearing.

Mr. Flint noted the work is approved as a limited project pursuant to 310 CMR 10.53(3)(i).

In addition to the standard conditions, Mr. Flint recommended special conditions stormwater management system maintenance, infiltration unit inspection, certification of stormwater infrastructure, wood removal, dust controls, dewatering, cement truck washing, and sand and salt. He recommended ongoing conditions for stormwater management system maintenance, and sand and salt.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue the order conditions as discussed.

List of Exhibits:

Exhibit A: Notice of Intent; dated 07/07/2026; prepared by Chris Keenan, Quinn Engineering

Exhibit B: Site Plan; dated 06/22/2026; revised 08/07/2026; prepared by Kevin J. Quinn, Quinn Engineering

Exhibit C: Stormwater Report; dated 06/18/2026; prepared by Kevin J. Quinn, Quinn Engineering

Exhibit D: Division of Planning & Regulatory Comments; dated 07/29/2026; prepared by Eric Flint & Mattie VandenBoom

Exhibit E: Response to Comments; dated 08/07/2026; prepared by Chris Keenan, Quinn Engineering

6) 46, 51, & 52 Modoc Street (MBL 38-017-1A-11, 38-017-1A-10, & 38-017-1A-09) - CC-2026-054

Attorney Donald O'Neil, joined by engineer Joseph Graham, presented a revised subdivision layout involving ten total dwelling units formed by five semi-detached structures. The project required a new Notice of Intent because the original 2018 approval expired before construction of these remaining lots. Mr. O'Neil explained that each unit would include an individual infiltration chamber to manage stormwater.

Mr. Flint explained that staff reviewed updated plans and a revised stormwater report, noting that their previous concerns related to perimeter controls, planting plans, and stormwater calculations had been resolved.

Commissioner Canton asked about the project phasing. Mr. O'Neil explained the road has already been constructed. Mr. Flint noted through aerial imagery that the lots already appeared to be cleared and some foundation excavation had begun.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to close the public hearing.



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In addition to the standard conditions, Mr. Flint recommended special conditions Stormwater Pollution Prevention Plan, stormwater management system maintenance, infiltration unit inspection, certification of stormwater infrastructure, dust controls, dewatering, cement truck washing, construction monitoring reports, sand and salt, wetland permitting. He recommended ongoing conditions for stormwater management system maintenance, and sand and salt.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue the order conditions as discussed.

List of Exhibits:

Exhibit A: Notice of Intent; dated 07/15/2026; prepared by Donald J. O'Neil, Esq.

Exhibit B: Site Plan; dated 07/02/2026; revised 08/20/2026; prepared by Joseph Graham

Exhibit C: Stormwater Report; dated 04/26/2026; revised 08/20/2026; prepared by Joseph Graham

Exhibit D: Division of Planning & Regulatory Comments; dated 07/22/2026; prepared by Eric Flint & Mattie VandenBoom

Exhibit E: Response to Comments; dated 08/20/2026; prepared by Joseph Graham

11) 20 & 22 Goldthwaite Road (MBL 39-021-00045 & 39-021-43+44) - CC-2026-060

Nikita Shugrue and Alex Wood, Thompson Liston Associates on behalf of the applicant, Pappas Prime Properties, LLC Whippoor LLC, the applicant, presented a redevelopment project involving demolition of an existing single-family house and construction of a new 28-unit multifamily apartment building while retaining the existing three-family structure at number 20 Goldthwaite Road. Although no wetland buffers exist on-site, the filing was required due to proximity to municipal catch basins.

Ms. VandenBoom confirmed that a previously flagged area potentially subject to isolated flooding did not qualify as a regulated resource after further study. The only staff comment concerned the landscape plan, which needed greater inclusion of native trees and shrubs.

Commissioner Canton and Commissioner asked for clarification on the snow storage areas and parking configuration. Mr. Shugrue clarified that interior garage parking is proposed supplemented the external parking count and that a special permit process for reduced parking was underway through the Planning Board.

No comments from the public.

Upon a motion by Commissioner Kirshne, seconded by Commissioner Nystrom, the Commission voted 3-0 to close the public hearing.

In addition to the standard conditions, Ms. VandenBoom recommended revised plans including at least 50 percent native tree and shrub species, stormwater management system maintenance, infiltration unit inspection, certification of stormwater



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infrastructure, dust controls, dewatering, cement truck washing, sand and salt. She recommended ongoing conditions for stormwater management system maintenance and sand and salt.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to issue the order conditions as discussed.

List of Exhibits:

- Exhibit A: Notice of Intent; dated 08/05/2026; prepared by Nikita Shugrue, Thompson Liston Associates
- Exhibit B: Site Plan; dated 07/24/2026; prepared by Patrick Healey, Thompson Liston Associates
- Exhibit C: Stormwater Report; dated 06/03/2026; prepared by Patrick Healey, Thompson Liston Associates
- Exhibit D: Division of Planning & Regulatory Comments; dated 08/18/2026; prepared by Eric Flint & Mattie VandenBoom

Other Business

13) Request for Certificate of Compliance

a. 222 Brook Street (CC-2019-009)

Ms. VandenBoom reviewed the Certificate of Compliance request for 222 Brook Street. The project involved construction of a low-rise apartment building. She noted that an as-built plan and engineer's letter confirmed the project was constructed as approved. The site was inspected on August 18 and found the entire property, including a steep hillside, fully stabilized with healthy plantings.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to issue the Certificate of Compliance.

List of Exhibits:

- Exhibit A: Certificate of Compliance Request; dated 07/07/2026; prepared by Tom Corbett, Zero Point Development, Inc.

b. 74 & 76 Valmor Street (CC-2023-075)

Ms. VandenBoom explained that a partial Certificate of Compliance was being requested for a duplex. She confirmed the site was fully stabilized and noted that previously flagged dead tree plantings had been replaced.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to issue a partial Certificate of Compliance.

List of Exhibits:

- Exhibit A: Certificate of Compliance Request; dated 07/02/2026; prepared by JAE Wor, LLC



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c. 1195 Grafton Street (CC-2025-046 & DEP#349-1421)

Ms. VandenBoom explained this project involved directional drilling to replace utility lines. She explained that staff conducted a site visit on August 18th and confirmed the site was fully stabilized.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to issue a certificate of compliance.

List of Exhibits:

Exhibit A: Certificate of Compliance Request; dated 07/09/2026; prepared by Sam Keffestan, BSC Group

14) Project Change Request

a. Elm Park Playground (CC-2025-002)

Mr. Flint reviewed a project change request from the Parks Department for Elm Park. The Parks Department previously received a negative determination for playground resurfacing and now sought approval to replace pads under 21 picnic tables. Given the minor nature of the work and proposed erosion controls, staff recommended processing it as a project change under the existing DOA.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to approve the project change request.

15) Enforcement Order and Violation Updates

a. 133 Lake Avenue North (CC-2020-007)

b. 99 Wildwood Avenue (CC-EO-2020-009)

c. 269 James Street (CC-EO-2021-007)

d. 4 Tiffany Avenue (CC-EO-2023-001)

e. 570 Lincoln Street (CC-EO-2023-010)

f. 198 Granite Street (CC-EO-2024-001)

g. 86 Webster Street (CC-EO-2024-003)

h. Salisbury Hill (CC-EO-2024-005 & DEP#349-1253)

i. 262 Mill Street (CC-EO-2024-007)

Ms. VandenBoom reviewed the history of the Enforcement Order. The enforcement order was issued in 2024 for incomplete wetland replication required back in 2001 when the Westside Veterinary Clinic was constructed. The replication area has since been completed and monitored for two growing seasons. A final report confirms native vegetation and a functional wetland (>75% wetland plantings).

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to lift the Enforcement Order.



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- j. 142-158 Wildwood Avenue (CC-EO-2024-010)**
- k. 1256 West Boylston Street (CC-EO-2025-001)**
- l. 13 Holden Street (CC-EO-2025-002 & DEP# 349-1409)**
- m. 270 Webster Street (CC-EO-2025-004)**
- n. 34 Eskow Road & 224 Southwest Cutoff (CC-EO-2025-006)**
- o. 148A Tory Fort Lane (CC-EO-2025-007, CC-2023-016, & DEP# 349-1356)**
- p. 1259 West Boylston Street (CC-EO-2025-008)**
- q. 145 Newton Ave North (CC-EO-2025-009)**

Ms. VandenBoom explained that unpermitted disturbance within 100 feet of a catch basin previously triggered an enforcement order. The homeowner was required to stabilize the site and allow staff to inspect the site during 2026 growing season. A staff inspection confirmed full stabilization of the site.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to lift the Enforcement Order.

- r. 757 Salisbury Street (CC-EO-2025-010 & CC-2023-005)**
- s. 9 & 13 Elton Street (CC-EO-2025-011, CC-2024-083, & DEP#349-1407)**
- t. 612 Grove Street (CC-EO-2026-001)**
- u. 342 (aka 344, 346, & 348) Lake Avenue (CC-EO-2026-002 & DEP#349-1435)**
- v. 88 Webster Street (CC-2023-025 & DEP#349-1361)**

Nick Facendola, Level Design Group, LLC, reviewed the proposed restoration plan from wetland scientist Matt Marro. The restoration plan involves the removal of riprap, regrading, soil decompaction, topsoil addition, and native replanting.

Mr. Flint recommended the Commission issue an enforcement order to implement the restoration plan.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to issue the Enforcement Order as discussed.

- w. 11 Holden Street (CC-EO-2026-003)**

Ms. VandenBoom explained that an unpermitted covered porch was constructed within the 30-foot buffer to Delany Brook. Staff issued an enforcement order requiring an as-built plan to be provided.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to ratify the Enforcement Order.

- x. 142 Olean Street (CC-EO-2026-004)**

Mr. Flint stated that vegetation removal and installation of an above-ground pool directly



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adjacent to the shoreline prompted an enforcement order. The homeowner was cooperative and explained that some shrubs were damaged by a fallen tree, leading to cleanup and unintended over-removal. Staff required retention of a wetland scientist to develop a restoration plan, likely to include native plantings and consideration of relocating the pool outside the buffer.

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted 3-0 to ratify the Enforcement Order.

There was no discussion of item 15a-15h, 15j-15p & 15r-15u.

16) Open Space Discussion

There was no discussion of item 16.

17) Discussion of Active Projects

There was no discussion of item 17.

18) Communications

There was no discussion of item 18.

19) Approval of Minutes – August 13th, 2026

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to approve the minutes.

20) Update to Wetlands Protection Ordinance and Regulations

Mr. Flint provided an update on ongoing revisions to the Wetlands Protection Ordinance, particularly on simplifying administrative approvals, which will be presented in redline form at a future meeting.

21) Approval of FY26 Annual Report

Mr. Flint reviewed the draft Fiscal Year 26 Annual Report detailing permitting activity, land management, and open space accomplishments by the Conservation Commission.

Upon a motion by Commissioner Nystrom, seconded by Commissioner Kirshner, the Commission voted 3-0 to approve FY26 Annual Report.

22) Commission Liaison Update

Liaison updates for Lake Commission and Community Preservation were brief, with no significant new information.

23) Policies and Procedures

There was no discussion of item 23.

Adjournment:

Upon a motion by Commissioner Kirshner, seconded by Commissioner Nystrom, the Commission voted to adjourn at approximately 6:25 PM.